

## REMARKS

In the Official Action mailed on **31 October 2006**, the Examiner reviewed claims 1-28. Claims 9-16 were rejected under 35 U.S.C. §101 because the claims are not limited to tangible embodiments. Claims 1, 9, 17, and 25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Astle et al (USPub 2001/0046372, hereinafter “Astle”) and in view of Pallmann (USPN 6,094,684 hereinafter “Pallmann”). Claims 2-8, 10-16, 18-24, and 26-28 were rejected under 35 U.S.C. §103(a) as being unpatentable over Astle in view of Pallmann and further in view of Boucher et al (USPN 6,393,487, hereinafter “Boucher”).

### Rejections under 35 U.S.C. §101

Claims 9-16 were rejected because the claims are not limited to tangible embodiments.

Applicant has amended claim 9 to limit the computer-readable storage medium to tangible embodiments. These amendments find support in paragraph [0022] of the instant application.

### Rejections under 35 U.S.C. §103(a)

Independent claims 1, 9, 17, and 25 were rejected as being unpatentable over Astle in view of Pallmann. Applicant respectfully points out that the combined system of Astle and Pallmann is directed to **inserting video control signals** into a television broadcast signal, wherein the video control signals control the operation of a remote video recorder (see Astle, Abstract and paragraph [0006]).

In contrast, the present invention teaches sending a remote direct memory access (RDMA) request to a data device, wherein the RDMA request identifies data that has been identified by a controller. In response to this RDMA request,

the data device **inserts the data** directly into an outgoing data stream which is directed to a data terminal (see FIG. 3 and paragraphs [0034]-[0036] of the instant application). This is beneficial because it facilitates selecting the data and sending the data in the data stream without the data being passed through the controller.

Note that in the system of Astle and Pallmann, the broadcast television signal is not “selected” for insertion into the data stream. There is nothing within Astle or Pallmann, either separately or in concert, which suggests selecting data, which has been identified by a controller, using a remote direct memory access (RDMA) request to a data device and, in response to the RDMA request, inserting the data from the data device directly into an outgoing data stream to a data terminal.


Accordingly, Applicant has amended independent claims 1, 9, 17, and 25 to clarify that the present invention selects data, which has been identified by a controller, using a remote direct memory access (RDMA) request to a data device and, in response to the RDMA request, inserts the data from the data device directly into an outgoing data stream to a data terminal. These amendments find support in FIG. 3 and in paragraphs [0034]-[0036] of the instant application.

Hence, Applicant respectfully submits that independent claims 1, 9, 17, and 25 as presently amended are in condition for allowance. Applicant also submits that claims 2-8, which depend upon claim 1, claims 10-16, which depend upon claim 9, claims 18-24, which depend upon claim 17, and claims 26-28, which depend upon claim 25, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

**CONCLUSION**

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

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Date: 13 November 2006

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